

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 29 – August 2, 2002**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
7-29	OPP	119,943	Mighty Fine v. Sayaka W. Draper	Simms* Cissel Quinn	2(d)	Opposition Sustained	"FINE" [t-shirts, sportswear, and active wear]	"MIGHTYFINE" [a wide variety of clothing items]			No
7-29	EX	75/051,093	WorldRes. com, Inc.	Hanak* Walters Drost	whether applicant's mark has acquired distinctiveness under Section 2(f)	Refusal Reversed		"PLACES TO STAY" [lodging reservations services]		Singleton	No
7-29	EX	75/472,685	Raven Lining Systems, Inc.	Simms Cissel Bucher*	2(d)	Refusal Reversed		"AQUATAPOXY" [epoxy-based coating for the protection and rehabilitation of water and wastewater structures]	<i>2 cited registrations, owned by 2 different entities:</i> "AQUA POXY" [waterproofing coating for basements and interior masonry] and "AQUA POXY" [paints, varnishes, lacquers and assorted colors used as protective coatings on various types of metals to protect against weather elements for use on exterior metal surfaces]	Fletcher	No
7-29	EX (R)	75/725,201	Ralph S. Gray	Wendel Holtzman* Drost	2(e)(1)	Request for Reconsideration Denied (Refusal Affirmed)		"HEMP BURGER" [sandwiches]		Chhina	No

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7-29	EX	76/021,398	Matsushita Electric Corporation of America	Hohein* Wendel Bucher	2(e)(1)	Refusal Reversed		"PALM LINK" [two-way radios]		L. Thompson	No
7-30	CANC	29,681	Randal L. Schwartz v. RMI.NET, Inc.	Seeherman Hohein* Bucher	2(d)	Petition to Cancel Denied	"STONEHENGE CONSULTING SERVICES" [educational services, namely, conducting classes and seminars in the field of computer programming and distributing course materials in connection therewith; consultation services in the field of computers, computer security, video production and technical writing]	"STONEHENGE" [providing multiple-user access to a global computer information network for the transfer and dissemination of a wide range of information]			No
7-30	EX	78/024,803	North American Tobacco Import Co.	Wendel* Bucher Drost	2(d)	Refusal Affirmed		"VIKING" [cigarettes]	"VIKING" (and design) [glass ash trays, humidors, and cigarette boxes, trays and jars]	Fairbanks	No
7-30	EX	75/499,150	Kernaghan Brune Ltd.	Seeherman* Hairston Chapman	2(e)(1); 2(a) [deceptive]	Refusal Reversed		"BLUE RUBY" [jewelry, namely, rings, earrings, necklaces, bracelets and brooches, all without simulated rubies and all without blue gems]		Engel	No
7-30	OPP	118,201	BFS Brands, LLC v. Hercules Tire & Rubber Co.	Hohein Bucher Bottorff*	2(d)	Opposition Sustained	"WINTERTRAX" [vehicle tires]	"SIGNET WINTER TRAX" [vehicular tires]			No

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7-30	EX	75/859,581	Medical Solutions, Inc.	Cissel* Hairston Chapman	2(e)(1)	Refusal Affirmed		“WARMOR” [cabinets for heating medical instruments and liquids]		Snapp	No
7-30	EX	76/130,954	Buck House, Inc.	Cissel* Bottorff Drost	whether applicant's specimens show use of its mark in connection with its recited services	Refusal Affirmed		“BUCK HOUSE” [antique brokerage services, namely, buying and selling antiques for and to collectors]		DuBois	No
7-30	EX	74/485,941	Decathlon	Cissel Hairston Walters*	2(d)	Refusal Affirmed		“DECATHLON” [carpets, rugs, plastic bath and doormats and matting, and carpets for automobiles and artificial turf]	“DECATHLON” [floor tiles of plastic composition]	Benzmiller	No
7-31	EX	75/566,627	Lee Fashion Fabrics, Inc.	Seeherman Hanak Bucher*	whether applicant's specimens show use of its mark in connection with its recited services	Refusal Affirmed		“STARSUEDE” [wholesale distributorship for suede-like synthetic fabric in the piece used for apparel, upholstery and seating material on office and residential furniture; inserts and covers on wood furniture; coverings for walls, ceilings and panels; and footwear, bags, portfolios and other personal accessories and other special end users]		Kang	No

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7-31	EX	75/599,304	Coors Brewing Co.	Hanak (D) Hairston Drost*	2(d)	Refusal Affirmed, but only as to cited registration for "BLUE MOON" for restaurant services		"BLUE MOON—BLUE MOON BREWING CO." (and design) [beer]	3 cited registrations, the latter 2 owned by the same entity: "BLUE MOON" (and design) [restaurant services]; "BLUE MOON" and "BLUE MOON" (and design) [both marks for wine]	Jones	No
7-31	EX	75/351,968	John Brian Losh, Inc.	Hanak Quinn Bottorff*	whether applicant's mark is registrable on the Supplemental Register (genericness)	Refusal Affirmed		"LUXURY-REALESTATE.COM" [providing information in the field of luxury real estate sales, and luxury real estate brokers, and links to related information, by means of a global computer network]		Crawford	No
7-31	EX	75/650,280	SciMed Life Systems, Inc.	Simms Cissel Hanak*	2(d)	Refusal Affirmed		"OVATION" [cardiac balloon catheter inflation devices]	"OVATION" [a wide array of obstetrics and gynecology apparatus, including catheters]	Hickey	No
7-31	EX	76/044,706	Charter Communications Holding Co., LLC	Cissel Quinn Walters*	2(d)	Refusal Reversed		"CHARTER MEDIA" [providing and placing television advertising for others, and producing infomercials, on cable television stations]	"THE CHARTER GROUP" (and design) [preparing and placing advertising for others; business management; business information; publication of pamphlets, booklets, newsletters, etc.]	R. McMorrow	No

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7-31	EX	75/643,089	Sutkowski & Washkuhn Ltd.	Seeherman* Quinn Drost	2(e)(1) [whether applicant's mark is inherently distinctive based on the stylized display of the words that compose its mark]	Refusal Affirmed		"BUSINESS LAW FIRM" (in stylized lettering) [legal services]		Bullock	No
8-1	OPP	116,961	Stockdr. com, Inc. v. Dr. Richard J. Davis	Cissel* Chapman Drost	2(d)	Opposition Sustained	"STOCK DOCTOR" [investment advisory services]	"STOCKDOCTOR" [printed reports and stock charts featuring investment information analysis and advice; computer services, namely, providing on-line financial information and investment advisory services via a multi-user global computer information network]			No
8-1	OPP	119,784	Loewe, S. A. v. Fierres, Inc.	Cissel* Hanak Walters	2(d)	Opposition Sustained	"LOEWE" (and design) [a wide variety of products, including: clothing for men and women, namely, jackets, coats, vests, suits, shirts, blouses, pants, skirts, t-shirts, bathing suits, ties, scarves, pocket squares and belts]	"RALPH LOEWE" [clothing, namely, casual pants, shirts, jeans]			No

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